IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re A | Application of: |) | | | |
|-----------------------------|---------------------------------------------------------------------|---------------------------|--|--|--|
| Doug | SWEET et al. |) Group Art Unit: 1797 | | | |
| Application No.: 10/538,964 | |) Examiner: D. Henkel | | | |
| Filed: | June 14, 2005 |) Confirmation No.: 5627 | | | |
| For: | METHOD AND APPARATUS FOR AUTOMATIC STAINING OF TISSUE SAMPLES |))) | | | |
| P.O. E | nissioner for Patents 3ox 1450 ndria, VA 22313-1450 | | | | |

TRANSMITTAL LETTER

Enclosed is an Amendment in response to the Office Action mailed October 1, 2008. The items checked below are appropriate:

The claims are calculated below:

| | Claims Remaining | | Highest Number | Present | Rate | A | dditional |
|-----------------------------------------------------|------------------|--------|-----------------|---------|---------|----|-----------|
| | After Amendment | | Previously Paid | Extra | | | Fee |
| Total | 33 | ı | 34 | 0 | x \$52 | \$ | 0 |
| Indep. | 12 | 1 | 10 | 2 | x \$220 | \$ | 440.00 |
| First Presentation of Multiple Dep. Claim(s) +\$390 | | | | | | | |
| | \$ | 440.00 | | | | | |
| | - | | | | | | |
| | \$ | 440.00 | | | | | |

A check for \$440.00 to cover the cost of the additional independent claims added by this reply is enclosed.

Application No.: 10/538,964 Attorney Docket No.: 09138.0069-00000

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Dated: March 2, 2009

Anthony C. Tridice

Reg. No. 45,958